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# NFW YNRK

July 8, 2016

Hon. Andrew L. Carter
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Dear Judge Carter:

The U.S. Attorney's response to my request to unseal the criminal case involving a cooperating witness in a federal public corruption investigation does not adequately justify closing the case to the public.

In keeping with the Honorable P. Kevin Castel's June 24, 2016 order, the U.S. Attorney sent a letter dated July 1, 2016 explaining the procedures and arguments for sealing criminal cases.

The judge instructed the federal prosecutors that they "need not, in the first instance, confirm the existence of any matter that is under seal."

It should be pointed out, however, that the government has already acknowledged the sealing of the criminal court case of CW-1, identified in DNAinfo and numerous other press outlets as Jona Rechnitz, in the US V. Seabrook case (16-MJ-3626 or 16-CR-00467).

In that case, Norman Seabrook, the former president of the Correction Officers Benevolent Association was accused of accepting kickbacks in exchange for steering union retiree benefits into the hedge fund operated by investment banker Murray Huberfeld. The federal investigator in the case states, "CW-1 has pleaded guilty to conspiring to commit honest services fraud in connection with, among other things, this matter and is providing information to the government in the hope of obtaining leniency when he is sentenced...CW-1 has done business with Huberfeld."

In fact, the government has made a de facto identification of CW-1 in their complaint against Seabrook and Huberfeld through the highly detailed complaint. Certainly his identity is no secret to Seabrook and Huberfeld, who considered him a "friend and sometimes business partner." Seabrook received cash, Knicks tickets and airfare from CW-1.

Seabrook and Huberfeld have known about the criminal investigation for many months and had ample opportunity to act against CW-1 for his cooperation with the federal government. On June 8, 2016, DNAinfo, The New York Times, the New York Daily News, the New York Post, NBC News, the Associated Press and other news outlets reported that Jona Rechnitz was the CW-1 identified in the criminal complaint (see attachment). There has been no indication that he has been threatened or harmed in the month that has passed since then.

810 7th Ave. Suite 800 | New York, NY 10019 Main (646) 435-9100 | Fax (646) 368-6820 DNAInfo.com Nowhere in criminal complaint or the subsequent indictment against the union boss and the hedge fund manager does it suggest that they are prone to violence, nor that they have threatened to kill the cooperating witness. This appears to be a financial crime with a public corruption component. The lack of threat eliminates the need to seal the file for the protection of the defendant in the case.

For these reasons and reasons already stated in my previous request, I ask that the case be unsealed.

Thank you for your time.

Sincerely,

Janon Fisher

Editor

**DNAinfo New York** 

(646) 591-8732

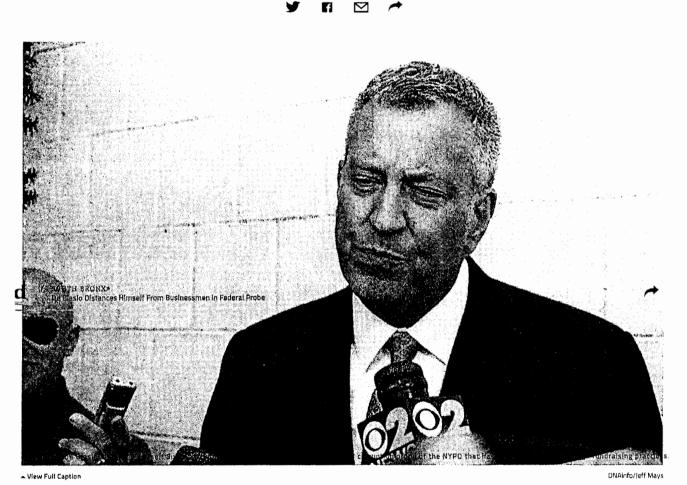
cc: Assistant U.S. Attorney Russell Capone, Defense Attorney Alan Levine



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# De Blasio Distances Himself From Businessmen in Federal Probe

By Jeff Mays (//www.dnainfo.com/new-york/about-us/our-team/editorial-team/jeff-mays) and Murray Weiss (//www.dnainfo.com/new-york/about-us/our-team/editorial-team/murray-weiss) | April 10, 2016 4:46pm



HIGH BRIDGE — Mayor Bill de Blasio distanced himself Sunday from two businessmen embroiled in a federal corruption probe of the NYPD that has expanded to his campaign fundraising practices, saying that he doesn't know the men that well and that his campaign is returning donations from both.

"It's not a particularly close relationship," the mayor said of his ties to businessmen Jeremy Reichberg and Jona Rechnitz. (https://www.dnainfo.com/new-york/20160407/upper-east-side/ues-precinct-commander-stripped-of-gun-badge-corruption-probe-nypd) "I met them first around the time of the general election. I hadn't know them previously, really haven't seen them in the last year or more."

The army has a sainted to be high morehing afficient of the distance and he days of sainted to be athen a said an Th

Ine NYPD has stripped two high-ranking omcers of their guns and badges and transferred two others amid an FBI investigation into whether the officers accepted cash, gifts and international trips from Reichberg and Rechnitz. (https://www.dnainfo.com/new-york/20160407/upper-east-side/ues-precinct-commander-stripped-of-gun-badge-corruption-probe-nypd)

Both businessmen were on de Blasio's inaugural committee. Rechnitz and his wife contributed \$4,950 each to de Blasio's 2013 mayoral campaign.

Reichberg raised \$35,000 for the Campaign for One New York, a nonprofit group connected to the mayor that accepted money from groups with business before the city to accomplish de Blasio's political goals.

The expanding federal probe is examining whether the donors to the Campaign for One New York, which has since been disbanded, received special treatment, sources said.

After stumping for Democratic presidential candidate Hillary Clinton at the Latino Pastoral Action Center in The Bronx Sunday afternoon, de Blasio said he was not aware of any federal investigation into his fundraising activities.

"I have no evidence of that fact. We have gotten no inquiry from any office and no one associated with me has gotten any inquiry, so I just can't comment on something I have no specifics on," de Blasio said.

Last week, de Blasio said he would wait for the outcome of the federal investigation before deciding to return campaign donations from the two men and that he would not take any of their donations for his 2017 re-election campaign.

kechneling here had progressed "to a point where they have enough evidence for the disciplinary actions taken against the officers."

"That's what made me decide we should go the only other step we have, which is to return the 2013 donations," de Blasio added.

Asked about the role of the two men on his inaugural committee, de Blasio said they both just "supported the effort."

Neither Reichberg nor Rechnitz has been charged with any crime.

"We are fully confident that the campaign has conducted itself legally and appropriately at all times," said de Blasio campaign spokesman Dan Levitan.

A spokesperson for U.S. Attorney Preet Bharara declined comment.

The Campaign for One New York and United for Affordable NYC announced they would close last month after good-government and tenant groups questioned (https://www.dnainfo.com/new-york/20160317/civic-center/de-blasios-dark-money-nonprofit-close-officials-say) whether the organizations, which can take unlimited amounts of money and are not required to report donors or what the money was spent for, were violating campaign laws.

In calling for an investigation, Common Cause said the practice "blurs the line between campaign activity and the Mayor's function as the head of New York City government" (https://www.dnainfo.com/new-york/20160222/windsor-terrace/de-blasios-dark-money-needs-be-probed-good-government-group-says) and "raises serious questions about who has influence and access to the policymaking process."

De Blasio said the Campaign for One New York would not be returning any money Reichberg raised.

"The Campaign for One New York doesn't have any money in it. They spent all their money and are shutting down," de Blasio said.

As part of the joint investigation with the NYPD and the FBI, Deputy Inspector James Grant, the commanding officer of the 19th Precinct on the Upper East Side, was placed on modified duty and stripped of his gun and badge, as was Deputy Chief Michael Harrington, who was second in command in the NYPD's citywide housing bureau.

Deputy Chief David Colon, the Commanding Officer of the department's Brooklyn Housing Bureau and Deputy Chief Eric Rodriguez, who was the executive officer of Brooklyn South command, were transferred.

In another related federal probe, Bronx restaurateur Hamlet Peralta is accused of stealing money (https://www.dnainfo.com/new-york/20160408/civic-center/bronx-restaurateurs-ponzi-scheme-linked-nypd-corruption-probe-source) from one of the businessmen embroiled in the NYPD probe as part of a \$12 million Ponzi scheme around a fake wholesale liquor deal.

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# De Blasio Plays Down Contact With Men at Heart of U.S. Inquiry

By WILLIAM NEUMAN APRIL 13, 2016

Mayor Bill de Blasio said on Wednesday that he had conversations "over the course of 2014" and into the next year with two financial backers who are now at the center of a federal investigation, acknowledging more extensive contact with the men than he had previously.

But he refused to say what the conversations were about or how frequently they occurred.

Mr. de Blasio said that in response to news accounts of the investigation into fund-raising by the men, Jona S. Rechnitz and Jeremy Reichberg, he had instructed a lawyer for his political campaign to contact the office of Preet Bharara, the United States attorney for the Southern District of New York, which includes Manhattan.

"He reached out at my request and simply said, 'We'd like to be helpful in any way we can, happy to provide any information that would be helpful," Mr. de Blasio, a Democrat, said of the lawyer, Barry Berke. He added that he had no knowledge of any investigation beyond what he had learned from news reports, and that neither he nor anyone in his administration had been contacted by federal investigators regarding an inquiry into his campaign fund-raising that focuses on the two men.

Mr. de Blasio spoke shortly after the Police Department announced it had reassigned another top official as a result of the investigation into the two men. The official, Deputy Chief Andrew Capul, the executive officer of the Manhattan North



patrol borough, was transferred to an administrative position, becoming the fifth senior official to be reassigned because of the inquiry.

The authorities began looking at the activities of Mr. Rechnitz, a Manhattan real estate developer, and Mr. Reichberg, a Brooklyn businessman, during an investigation into an alleged Ponzi scheme in which the men were investors, according to people briefed on the matter.

The investigators then discovered a web of contacts between the two men and high-level Police Department officials. In questioning about 20 such officials, the investigators asked about links to the men and allegations of free trips and meals the men may have provided.

At the same time, the people briefed on the case said, the federal investigators were focusing on substantial donations that Mr. Rechnitz gave to Mr. de Blasio and groups allied with the mayor in 2013 and 2014, and other money he raised. They were also looking at Mr. Reichberg's role in hosting a fund-raiser at his Brooklyn home in May 2014, which was attended by the mayor. Both men were named to the mayor's inauguration committee in late 2013, along with a roster of more than 70 other supporters, including actors and writers.

The two men and the police officials have not been charged with a crime.

Mr. de Blasio said on Sunday that he had not met the two men until after he won the Democratic primary for mayor in September 2013 and was not particularly close to them, adding that he really had not "seen them in the last year or more."

The next day, the mayor said he knew of "no favorable municipal action that they got." He also said that would be the last time he answered questions about the men.

But on Wednesday, Mr. de Blasio announced that his lawyer had reached out to prosecutors and was then pressed again to provide more details about his relationship with the men.

"It's very simple," he said. "To the best of my memory, I did not know them before the fall of 2013."

During the general election campaign, he said, "they did a lot to support the effort," adding that it was "a very normal thing" to include them in the inauguration committee, which was a largely honorific body.

Referring to the May 2014 fund-raiser for the Campaign for One New York, a group organized to support the mayor's agenda, he said, "They held one event at one of their homes, which I don't remember really that well because it was just another event at someone's home." The event raised at least \$35,000.

He continued, "And then I had some conversations with them over the course of 2014 but really haven't had many conversations since the beginning of 2015."

Asked for more information on the conversations, he said, "I've told you all I'm going to tell you for now."

Detailed records of the mayor's schedule kept by his office show no meetings or other contact with either of the men except for the May 2014 fund-raiser held at Mr. Reichberg's home in Borough Park, Brooklyn. A video posted online shows Mr. de Blasio arriving outside Mr. Reichberg's three-story brick home, with a mansard roof, and being greeted by a large crowd. A man can be heard telling the mayor that the crowd had waited for him for two and a half hours, and Mr. de Blasio responds incredulously before giving a bearhug to a man on the sidewalk.

In at least one respect, Mr. Rechnitz appeared to distinguish himself as a donor in a way that was likely to have caught the mayor's attention. In the fall of 2014, when Mr. de Blasio was making a major and ultimately unsuccessful push to help Democrats take control of the State Senate, a company controlled by Mr. Rechnitz donated \$102,300 to the New York State Democratic Senate Campaign Committee. State records show that it was the single-largest donation to the committee; the only comparable donations were made by union-affiliated political action committees.

"Someone who makes a donation, that's their choice; they should expect nothing in return," Mr. de Blasio said. "You'd like to believe people are making donations because they think someone would be a good leader."

Referring to allegations against the few top officials, he said: "I'm not going to

prejudge them. They deserve due process, but anyone who accepts personal gifts in the year 2016 is not paying attention to today's ethics standards or the ethics training that I'm sure they were given along the way."

Prosecutors from Mr. Bharara's office have also joined an unrelated examination by the state attorney general of a series of transactions that have also raised questions about the conduct of officials in the de Blasio administration, a person with knowledge of the matter said. The transactions included the lifting of a deed restriction on a Manhattan nursing home that enabled its purchase by a luxury condominium developer for \$116 million.

The person with knowledge of the matter said the federal prosecutors were monitoring the inquiry, but that it remained unclear whether the deals rose to the level of criminal conduct.

On Tuesday night, Mr. Bharara, who recently won convictions of prominent state legislators, said he would "keep looking hard at corruption in our legislative branch as we have been."

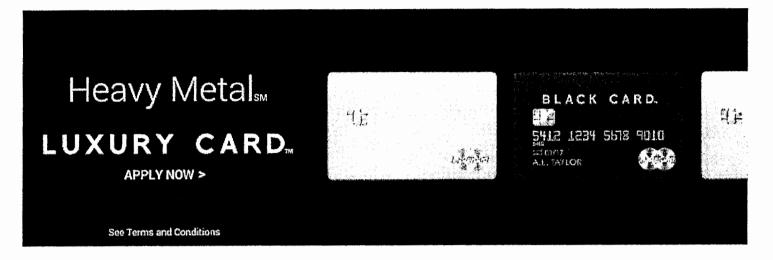
"But not just there," he added. "In the executive branch too, both in city and in state government. Executive offices in government are far from immune from a creeping 'show me the money' culture that has been pervading New York for some time now."

J. David Goodman, William K. Rashbaum and Rick Rojas contributed reporting.

A version of this article appears in print on April 14, 2016, on page A19 of the New York edition with the headline: De Blasio Plays Down Contact With Two Men at Heart of Corruption Case.

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# Correction union boss, hedge fund founder face fraud charges

By JAKE PEARSON (/author/jake-pearson) and TOM HAYS (/content/tom-hays)

Jun. 8, 2016 5:03 PM EDT

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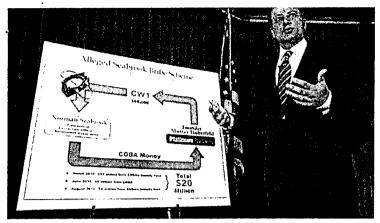
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U.S. Attorney Preet Bharara speaks to reporters during a news conference, Wednesday, June 8, 2016,... Read more



NEW YORK (AP) — The longtime head of the nation's largest municipal jail guard union was paid tens of thousands of dollars in cash, delivered in a Ferragamo handbag, in exchange for steering \$20 million in union money to a hedge fund, according to a criminal complaint.

Norman Seabrook, the brash and defiant president of the 9,000-member New York City Correction Officers' Benevolent Association, and Murray Huberfeld, the hedge fund's founder, were arrested by FBI agents on conspiracy and fraud charges Wednesday.

Seabrook was released on \$250,000 bond after a bail hearing at which his lawyer called the charges weak. Huberfeld was to appear later.

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The arrests are the deep months as the second union bods, when the first are the deep months as the second problem of the second pro

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# These Rare Vietnam War Photos Are So Crazy! No Wonder They Were Classified!

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Seabrook "made decisions about how to invest the nest egg for thousands of hardworking civil servants based not on what was good for them but on what was good for Norman Seabrook," Bharara said.

Prosecutor say the scheme by Huberfeld to hand hundreds of thousands of dollars in kickbacks to Seabrook in exchange for the investments in his fund, Platinum Partners LP, was facilitated by someone who has pleaded guilty and is cooperating with federal investigators.

The court papers don't name the cooperator. But two people with direct knowledge of the case identified him as Jona Rechnitz, a businessman who has contributed to Democratic Mayor Bill de Blasio's campaigns, was friendly with top police officials and has been captured on FBI wiretaps in a related giftsfor-favors probe.

The people weren't authorized to discuss the ongoing case and spoke to The Associated Press on the condition of anonymity. A lawyer for Rechnitz didn't return a request for comment Wednesday.

There was no information on an attorney who could comment for Huberfeld, and an email to Platinum was not immediately returned.

Shortly after Rechnitz introduced Seabrook and Huberfeld in December 2013, union lawyers sent a letter to Huberfeld expressing interest in investing \$10

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"COBA with just over \$3 million cash on hand for the union," it says.

Though Seabrook was promised more for his investments, he ultimately was paid \$60,000 by Rechnitz, the complaint says.

The middleman stashed the cash in an \$820 bag he bought at "one of Seabrook's favorite stores, Salvatore Ferragamo on Fifth Avenue," before handing it to the union leader at a meeting in Manhattan in December 2014, it says. Investigators searching Seabrook's home recovered the luxury bag and 10 pairs of Ferragamo shoes, prosecutors said.

Huberfeld reimbursed Rechnitz for the kickback by having him create a fake invoice for eight games from his season tickets to the New York Knicks. Platinum then paid the bill by check, it adds.

Seabrook has fiercely defended his union members amid repeated allegations of brutality and misconduct at the Rikers Island jail complex and elsewhere in the 10,000-inmate jail system. In his more than 20 years in power, he has become a political powerbroker, contributing heavily to state and local elections and influencing almost every administrative decision affecting the city's jails.

But according to the complaint, he was desperate to gain personally from his work investing union funds, complaining drunkenly in a hotel room during a trip with Rechnitz that he "worked hard to invest COBA's money and did not get anything personally from it," adding "it was time that 'Norman Seabrook got paid.'"

De Blasio, who sought to distance himself from Seabrook on Wednesday, said if the allegations against Seabrook are true they are "very sad." He also lamented crossing paths with Rechnitz.

"If we had any inkling this is the kind of human being he was." de Blasio said. "I never would've gone near



# Meet the cooperator who brought down a union boss

By Jamle Schram, Yoav Gonen and Yaron Steinbuch

June 8, 2016 | 3:02pm



Jona Rechnitz

Photo: Baruch Ezagui/collive.com

Jona Rechnitz, a donor to Mayor Bill de Blasio who is at the center of a sweeping corruption probe, is the cooperating witness mentioned in a federal bribery case against corrections union chief Norman Seabrook, sources said.

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The real estate investor has pleaded guilty to conspiracy, according to a federal complaint against Seabrook.

Rechnitz is "providing information to the government in the hopes of obtaining leniency when he is sentenced," according to the complaint.

The complaint, which does not name Rechnitz, refers to him as Cooperating Witness 1, or CW-1. It says the information he has given has been "reliable and corroborated by independent evidence."

Aian Levine, Rechnitz's lawyer, declined to comment about the case Wednesday morning.

De Blasio, when asked about Rechnitz, said: "I wish I never met the guy. If we had any inkling that this was the kind of human being he was, we never would have gone near him."

in the same amount.

<u>Rechnitz</u>, who met Seabrook through an NYPD cop in late 2013, arranged for international trips, cash payments and other gifts for the union head.

Seabrook traveled with Rechnitz, the cop and others to Las Vegas, Israel, the Dominican Republic and other places in 2013 and 2014, according to the complaint.

Rechnitz and Jeremy Reichberg, a prominent member of the Orthodox Jewish community in Borough Park, Brooklyn, have been at the center of an NYPD corruption scandal and mayoral fundraising activities.



Norman Seabrook Photo: Wirelmage

CORRECTION OFFICERS BENEVOLENT ASSOCIATION, NORMAN SEABROOK

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# De Blasio rips 'disgusting' cops, donor busted in federal probe

#### BY ERIN DURKIN

NEW YORK DAILY NEWS Updated: Thursday, June 23, 2016, 12:05 PM

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MY Daily News





The conduct of three cops and one of his donors busted this week was "disgusting," Mayor de Blasio said Thursday. "It's disgusting. It obviously was illegal, it was wrong, and they got caught," de Blasio said on the Brian Lehrer show in his first comments since three high-ranking NYPD officers and Brooklyn businessman Jeremy Reichberg were arrested for trading gifts for favors.

"I'm shocked that they were senior police officials, because they obviously were not following the law in a very egregious way," de Blasio said. "They're all going to suffer very real consequences."

The arrests came as part of a wide ranging probe by Manhattan U.S. Attorney Preet Bharara, who is examining both bribery within the NYPD ranks and fundraising by the mayor.



Mayor Bill de Blasio ripped the conduct of three cops and one of his donors who were busted this week as part of a federal corruption probe. (TODD MAISEL/NEW YORK DAILY NEWS)

Bharara said the Brooklyn diamond merchant got "cops on call" in exchange for hookers, hotel rooms, fancy meals and other gifts.

Both Reichberg and financier Jona Rechnitz, who has already pled guilty and is cooperating with the case, contributed heavily to de Blasio's campaign or non-profit.

The pair were "immoral people engaging in illegal acts," de Blasio said — but claimed there were no red flags when they were vetted by his campaign in 2013.





Political donor Jeremy Reichberg leaves United States Courthouse on Monday. (JAMES KEIVOM/NEW YORK DAILY NEWS)

He stressed that Bharara has said there are no allegations against the mayor's office included in this week's charges. "I know nothing like that that happened on the City Hall side," he said. "It's night and day."

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# CRIME AND COURTS

CHIEF INVESTIGATIVE REPORTER JONATHAN DIENST ON CRIME, CORRUPTION AND TERRORISM.

# 4 NYPD Officers, 2 Others Charged in Corruption Probe

By Jonathan Dienst and Joe Valiquette











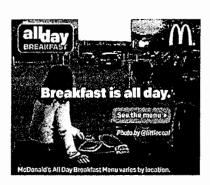
Four NYPD officials -- including one who has pleaded guilty to bribery -- have been charged along with a pair of businessmen in connection with a federal corruption investigation, according to law enforcement officials and court documents. Jonathan Dienst reports. (Published Monday, June 20,

Four NYPD officials — including one who has pleaded guilty to bribery —have been charged along with a pair of businessmen in connection with a federal corruption investigation, according to law enforcement officials and court documents.

Deputy Chief Michael Harrington, Deputy Inspector James Grant and Sgt. David Villanueva all faced charges Monday that they accepted gifts and favors from influential businessmen in exchange for favorable treatment and official services, including one instance in which the businessmen allegedly pulled strings to get the NYPD to shut down a lane of the Lincoln Tunnel so officers could escort an entrepreneur visiting from another country.

#### · Correction Boss Busted in Alleged Pension Scam

Two of those businessmen, Jeremy Reichberg and Alex Lichtenstein, were also named in a trio of criminal complaints unsealed Monday.



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CHIEF INVESTIGATIVE REPORTER JONATHAN DIENST ON CRIME, CORRUPTION AND TERRORISM.

# 4 NYPD Officers, 2 Others Charged in Corruption Probe

By Jonathan Dienst and Joe Valiquette











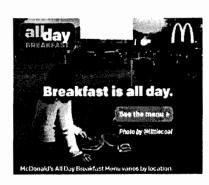
Four NYPD officials — including one who has pleaded guilty to bribery —have been charged along with a pair of businessmen in connection with a federal corruption investigation, according to law enforcement officials and court documents. Jonathan Dienst reports. (Published Monday, June 20, 2016)

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A fourth officer, Richard Ochetal, has already pleaded quilty to bribery charges in connection with the probe.













## New Yorkers React to NYPO Probe Connected to Mayor's Fundraising investigation

New charges against the NYPD officers are connected to an investigation involving men who have raised money for Mayor De Blasio. It has put the city's top cop on the defensive and has New Yorkers questioning the Mayor. The I-Team's Melissa Russo has that part of the story for us. (Published Monday, June 20, 2016)

U.S. Attorney Preet Bharara said Monday that the case marks the latest instance his office has found public corruption.

"When corruption subverts public safety that is especially tough to take, it can tear at the very fabric of society," he said. "It makes people wonder whether those entrusted to protect and serve them are actually doing that."

· NYPD Officers Transferred, Put on Desk Duty Amid Probe

NYPD Commissioner Bill Bratton, meanwhile, said that Monday's arrests show that "the system works" and that the department is not ignoring or covering up corruption.

"This case shows that whether you are a cop or a chief you will be handled the same way if you break the law," he said.

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4 NYPD Officers, 2 Others Charged in Corruption Investigation

Six people, including four NYPD officers, were charged Monday morning in connection with an ongoing federal corruption investigation, law enforcement officials told NBC 4 New York. (Published Monday, June 20, 2016)

Prosecutors allege that Harrington and Grant accepted expensive meals, game systems, hotel stays and other benefits in exchange for being "on call" for Reichberg and Jona Rechnitz, another businessman who previously pleaded guilty

#### to charges and has been cooperating with federal investigators.

Court papers also alleges that Reichberg and Rechnitz used their connections for a variety of purposes.



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According to the criminal complaints, Reichberg and Rechnitz allegedly took Grant, another unnamed detective and others on a private jet to Las Vegas for Super Bowl XLVII. The two businessmen also allegedly arranged for a prostitute to join in on the trip, and the prostitute spent the weekend in Grant's hotel room.

## Top News Photos of the Week

Grant also allegedly let the businessmen pay for a hotel in Rome, several home projects and a \$3,000 watch. On Christmas in 2014, the complaint alleges that Reichberg and Rechnitz showed up to Grant's home wearing elf hats and gave his children and wife gifts.

The two businessmen also allegedly recommended that Grant, then the head of the 72nd Precinct, be promoted to the head of the 19th Precinct on the Upper East Side in 2014 and were on the phone when Grant's supervisor told him about the promotion.

# • Sheldon Silver Convicted in Federal Corruption Trial

In exchange for the gifts, the complaint alleges that Grant regularly provided the pair police escorts and allowed the businessmen and their friends around police barricades. He also helped Reichberg get a gun license in about a third of the time it normally takes.

Bharara said that Grant also complained when he felt he wasn't getting "lavish gifts" quickly or often enough. According to the complaint, Grant allegedly told Reichberg on one occasion "see you don't love me anymore bro."

## Technology Gives Bracing Immediacy to Police Shooting Story

Harrington, meanwhile, is accused of accepting one to two meals a week from Rechnitz at a cost of about \$500 per meal. He also allegedly accepted Nets and Rangers tickets from Rechnitz and let the businessman book a hotel for a family trip to Chicago. Harrington later allegedly lied and said he paid the \$6,500 hotel bill back to Rechnitz.